



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

July 26, 2017

System No. 3610117

Mark Slobom, General Manager  
18185 Kenwood Ave.  
San Bernardino, CA 92407  
[Mark.dwc@charter.net](mailto:Mark.dwc@charter.net)

### **COMPLIANCE ORDER NO. 05-13-17R-003 NITRATE MAXIMUM CONTAMINANT LEVEL VIOLATION**

Enclosed is a Compliance Order (hereinafter "Order") issued to the Devore Water Company (hereinafter "Company") public water system.

The Company will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Compliance Order. California Health and Safety Code, Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a compliance order. At this time, the State Water Board has spent approximately five hour(s) on enforcement activities associated with this violation.

The Company will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Company for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code, Section 116625) or Article 9 (commencing with Health and Safety Code, Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Order contains the relevant statutory provisions for filing a petition for reconsideration. (Health and Safety Code, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

464 W. 4th Street, #437, San Bernardino, CA 92401 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

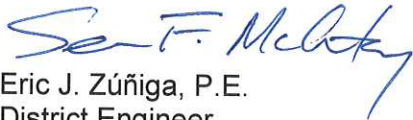
Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

Within 10 days of receipt of this Compliance Order, the Company shall submit a written response to the State Water Board indicating its willingness to comply with the directives of this Compliance Order.

If you have any questions regarding this matter, please contact Amanda Chapman of my staff at 909-383-4320 or me at 909-383-4328.

Sincerely,

FOR 

Eric J. Zúñiga, P.E.  
District Engineer  
San Bernardino District  
Southern California Field Operations Branch

Enclosures

Certified Mail No. 7006 2150 0004 3940 8270

cc: Tom Ferguson, Office Manager for Devore Water Company, via email at [devorewater@aol.com](mailto:devorewater@aol.com)  
Diana Almond, San Bernardino County EHS, via email at [Diana.Almond@dph.sbcounty.gov](mailto:Diana.Almond@dph.sbcounty.gov)  
Joy Chakma, San Bernardino County EHS, via email at [Joy.Chakma@dph.sbcounty.gov](mailto:Joy.Chakma@dph.sbcounty.gov)

1 **Compliance Order No. 05-13-17R-003**

2  
3 STATE OF CALIFORNIA

4 STATE WATER RESOURCES CONTROL BOARD

5 DIVISION OF DRINKING WATER

6  
7 **Name of Public Water System:** Devore Water Company

8 **Water System No:** 3610117

9  
10 **Attention:** Mark Slobom, General Manager

11 18185 Kenwood Ave.

12 San Bernardino, CA 92407

13  
14  
15 **Issued:** July 26, 2017

16  
17 **COMPLIANCE ORDER NO. 05-13-17R-003**

18 **FOR VIOLATION OF HEALTH AND SAFETY CODE SECTION**

19 **116555(a)(1) AND THE PRIMARY DRINKING WATER STANDARD FOR**

20 **NITRATE JULY 2017**

21  
22 The California Health and Safety Code (hereinafter "CHSC"), Section  
23 116655 authorizes the State Water Resources Control Board (hereinafter  
24 "State Water Board") to issue a compliance order to a public water system  
25 when the State Water Board determines that the public water system has  
26 violated or is violating the California Safe Drinking Water Act (hereinafter  
27 "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing



1 with Section 116270), or any regulation, standard, permit, or order issued or  
2 adopted thereunder.

3  
4 The State Water Board, acting by and through its Division of Drinking Water  
5 (hereinafter "Division") and the Deputy Director for the Division, hereby  
6 issues this compliance order (hereinafter "Order") pursuant to Section  
7 116655 of the CHSC to the Devore Water Company (hereinafter  
8 "Company") for violation of CHSC, Section 116555(a)(1) and California  
9 Code of Regulations (hereinafter "CCR"), Title 22, Section 64431 Maximum  
10 Contaminant Levels – Inorganic Chemicals (Nitrate).

11  
12 A copy of the applicable statutes and regulations are included in Appendix 1,  
13 which is attached hereto and incorporated by reference.

### 14 15 **STATEMENT OF FACTS**

16 The Company is classified as a community water system with a population  
17 of 1,515 persons serving 464 service connections. The Devore Water  
18 Company is operating the water system under a domestic water supply  
19 permit number 05-13-14P-012 issued on October 24, 2014 by the State  
20 Water Board.

21  
22 The State Water Board received laboratory results for five nitrate sample(s)  
23 collected on May 24, 2017, July 10, 2017, and July 13, 2017 from Well 2A  
24 and on July 10, 2017 and July 13, 2017 from Well 3. The average nitrate  
25 concentration from the five samples was 13.5 mg/L for Well 2A, and 11 mg/L  
26 for Well 3, reported as nitrogen (as N). A summary of the Company's most  
27 recent nitrate monitoring results are presented in Table 1 below:  
28



Table 1 – Well 2A and Well 3 Nitrate Sample Results

Sample Date	Result (mg/L)	Type of Sample
Well 2A (3610117-014)		
05/24/2017	16	Initial-1
07/10/2017	16	Initial-2
07/13/2017	14	Confirmation
Well 3 (3610117-015)		
05/24/2017	9.1	Initial-1
06/22/2017	10	Initial-1A
07/10/2017	11	Initial-2
07/13/2017	11	Confirmation

On July 7, 2017, Roger Smith with California Water Operators, a contract operator for the Company, notified the Division that Nitrate was detected. At the time, the Nitrate samples were not received in the Division's database (samples indicated as Initial-1 and Initial-1A in Table 1), and the Division requested for Clinical Labs of San to submit the Nitrate samples via electronic data transfer (EDT).

Notification to the public of the violation of Section 64431 was performed by the Company on July 14, 2017 in conformance with CCR, Title 22, Sections 64463.4(b) and (c) and 64465. The Company received 24 pallets (1,728 cases) of donated bottled water from Arrowhead Spring Water, delivered to Devore Water Company on July 14, 2017 by 6pm.

The Company submitted the proof of notification and copy of the public notification to the Division on July 17, 2017. A copy of the notice and the certification can be found in **Appendix 5**.

**DETERMINATION**

CHSC, Section 116555(a)(1) requires all public water systems to comply with primary drinking water standards as defined in CHSC, Section 116275(c). CCR, Title 22, Section 64431, Monitoring Contaminant Levels – Inorganic Chemicals states that public water systems shall comply with the primary MCLs established in table 64431-A (see Appendix 1). The MCL for nitrate is 10 mg/L, as N.

Based on the above Statement of Facts, the State Water Board has determined that the Company has failed to comply with primary drinking water standards pursuant to CHSC, Section 116555(a)(1) and the nitrate MCL pursuant to CCR, Title 22, Section 64431. The water produced by Well 2A and Well 3 exceeded the nitrate MCL, as established in Table 64431-A of Appendix 1.

**DIRECTIVES**

To ensure that the water supplied by the Company is at all times safe, wholesome, healthful, and potable, the Water System is hereby directed to take the following actions:

1. On or before **July 31, 2019**, comply with CCR, Title 22, Section 64431, in all future monitoring periods.
2. On or before **August 31, 2017**, submit a written response to the State Water Board indicating Company's agreement to comply with the directives of this Order.

3. On or before **October 10, 2017** and every three months thereafter, the Company shall provide quarterly public notification to the customers of the Company in which the Company failed to meet the nitrate MCL in a given quarter. Public Notification shall be conducted in conformance with CCR, Title 22, Sections 64463.1 and 64465 of the Company's failure to meet the nitrate MCL (10 mg/L as N) during any calendar quarter in which the nitrate MCL is exceeded. A copy of Sections 64463.1 and 64465 is included in Appendix 1. Appendix 2: Notification Template shall be used to fulfill this directive, unless otherwise approved by the State Water Board.
4. Complete Appendix 3: Certification of Completion of Notification Form. Submit it together with a copy of the public notification conducted in compliance with Directive No. 3, to the State Water Board within 10 days following each notification.
5. The Company shall provide public notification any new customers. Public notification for new customers shall be conducted in conformance with CCR, Title 22, Section 64463(e) where the Company shall give new customers a copy of the most recent public notice prior to or at any time service begins.
6. Commencing on the date of receipt of this Order, collect weekly samples for nitrate (as N) from Well 2A and Well 3, and ensure that the analytical results are reported to the State Water Board electronically by the analyzing laboratory no later than the 10<sup>th</sup> day following the month in which the analysis was completed.



- 1 7. Prepare for State Water Board approval, a Corrective Action Plan,  
2 identifying improvements to the water system designed to correct the  
3 water quality problems (violation of the nitrate MCL) and ensure that  
4 the Company delivers water to consumers that meets primary  
5 drinking water standards. The plan shall include a time schedule for  
6 completion of each of the phases of the project such as design,  
7 construction, and startup, and a date as of which the Company will be  
8 in compliance with the nitrate MCL, whose date shall be no later than  
9 **July 31, 2019.**
- 10
- 11 8. On or before **August 31, 2017**, submit the Corrective Action Plan  
12 required under Directive No. 6, above, to the State Water Board.  
13
- 14 9. Timely perform the State Water Board approved Corrective Action  
15 Plan, and each and every element of said plan, according to the time  
16 schedule set forth therein.  
17
- 18 10. On or before **October 10, 2017** and every three months thereafter,  
19 the Company must record monthly production at Well 2A and Well 3,  
20 and submit a running report of the monthly production at each well  
21 during the previous quarter (calendar three months) to the State  
22 Water Board.  
23
- 24 11. On or before **October 10, 2017** and every three months thereafter,  
25 submit a report to the State Water Board in the form provided as  
26 Appendix 4 showing actions taken during the previous quarter  
27 (calendar three months) to comply with the Corrective Action Plan.  
28

12. Not later than ten (10) days following **July 31, 2019**, demonstrate to the State Water Board that the water delivered by Company complies with the nitrate MCL.

13. Notify the State Water Board in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if Company anticipates it will not timely meet a performance deadline.

All submittals required by this Order shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Order shall include the following information: Water System name and number, compliance order number and title of the document being submitted.

Eric J. Zúñiga, Senior Water Resource Control Engineer  
State Water Resources Control Board  
Division of Drinking Water, San Bernardino District  
[Dwpdist13@waterboards.ca.gov](mailto:Dwpdist13@waterboards.ca.gov)

The State Water Board reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be effective upon issuance.

Nothing in this Order relieves the Company of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

**PARTIES BOUND**

This Order shall apply to and be binding upon the Company, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

**SEVERABILITY**

The directives of this Order are severable, and the Company shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Order.



Sean F. McCarthy  
Sean F. McCarthy, P.E.

July 26, 2017  
Date

Chief, South Coast Section  
Southern California Field Operations Branch



Appendices (4):

1. Applicable Statutes and Regulations
2. Tier 1 Notification Template (English and Spanish)
3. Certification of Completion of Public Notification
4. Quarterly Progress Report Template
5. Public notification and certification sent out for July 2017

Certified Mail No. 7006 2150 0004 3940 8270

# Appendix 1

# **APPENDIX 1. APPLICABLE STATUTES AND REGULATIONS FOR Compliance Order No. 05-13-17R-003 Nitrate Maximum Contaminant Level Violation**

*NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.*

## **California Health and Safety Code (CHSC):**

### **Section 116271 states in relevant part:**

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
  - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.



**Section 116275 states in relevant part:**

(c) "Primary drinking water standards" means:

(1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.

(2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.

(3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

**Section 116555 states in relevant part:**

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.

(2) Will not be subject to backflow under normal operating conditions.

(3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

**Section 116625 (Revocation and suspension of permits) states:**

(a) The department, after a hearing noticed and conducted as provided in Section 100171, may suspend or revoke any permit issued pursuant to this chapter if the department determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permit at issue has been temporarily suspended pursuant to subdivision (c), the accusation shall be served and notice of the hearing date given within 15 days of the effective date of the temporary suspension order. The commencement of the hearing shall be as soon as practicable, but in no case later than 60 days after the effective date of the temporary suspension order.

(b) The permittee may file with the superior court a petition for a writ of mandate for review of any decision of the department made pursuant to subdivision (a). Failure to file a petition shall not preclude a party from challenging the reasonableness or validity of a decision of the department in any judicial proceeding to enforce the decision or from pursuing any remedy authorized by this chapter.

(c) The department may temporarily suspend any permit issued pursuant to this chapter prior to any hearing when the action is necessary to prevent an imminent or substantial danger to health. The director shall notify the permittee of the temporary suspension and the effective date thereof and, at the same time, notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing on the merits. The temporary suspension shall remain in effect until the hearing is completed and the director has made a final determination on the temporary suspension, that in any event shall be made within 15 days after the completion of the hearing. If the determination is not transmitted within 15 days after the hearing is completed, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the department of jurisdiction to proceed with a hearing on the merits under subdivision (a).

**Section 116650 states in relevant part:**

(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

**Section 116655. Orders states**

(a) Whenever the State Water Board determines that any person has violated or is violating this chapter, or any order, permit, regulation, or standard issued or adopted pursuant to this chapter, the State Water Board may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Water Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Water Board.

**Section 116701 (Petitions to Orders and Decisions) states:**

(a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the State Water Board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.

(b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the State Water Board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.

(c) The evidence before the State Water Board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the State Water Board, should be considered to implement the policies of this chapter. The State Water Board may, in its discretion, hold a hearing for receipt of additional evidence.

(d) The State Water Board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The State Water Board's action pursuant to this subdivision shall constitute the State Water Board's completion of its reconsideration.

(e) The State Water Board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

(f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.

**California Code of Regulations, Title 22 (CCR):**

**Section 64431. Maximum Contaminant Levels--Inorganic Chemicals states:**

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

**Table 64431-A  
Maximum Contaminant Levels  
Inorganic Chemicals**

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010

Mercury	0.002
Nickel	0.1
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

\* MFL=million fibers per liter; MCL for fibers exceeding 10 µm in length.

#### **Section 64432. Monitoring and Compliance--Inorganic Chemicals.**

(a) All public water systems shall monitor to determine compliance with the nitrate and nitrite MCLs in table 64431-A, pursuant to subsections (d) through (f) and Section 64432.1. All community and nontransient-noncommunity water systems shall monitor to determine compliance with the perchlorate MCL, pursuant to subsections (d), (e), and (l), and section 64432.3. All community and nontransient-noncommunity water systems shall also monitor to determine compliance with the other MCLs in table 64431-A, pursuant to subsections (b) through (n) and, for asbestos, section 64432.2. Monitoring shall be conducted in the year designated by the State Water Board of each compliance period beginning with the compliance period starting January 1, 1993.

(b) Unless directed otherwise by the State Water Board, each community and nontransient-noncommunity water system shall initiate monitoring for an inorganic chemical within six months following the effective date of the regulation establishing the MCL for the chemical and the addition of the chemical to table 64431-A.

(1) If otherwise performed in accordance with this section, groundwater monitoring for an inorganic chemical performed no more than two years prior to the effective date of the regulation establishing the MCL may be used to satisfy the requirement for initiating monitoring within six months following such effective date.

(2) For routine monitoring required in subsection (c), chromium monitoring may be used in lieu of hexavalent chromium monitoring if the chromium results are less than the chromium DLR set forth in table 64432-A.

(c) Unless more frequent monitoring is required pursuant to this Chapter, the frequency of monitoring for the inorganic chemicals listed in table 64431-A, except for asbestos, nitrate/nitrite, and perchlorate, shall be as follows:

(1) Each compliance period, all community and nontransient-noncommunity systems using groundwater shall monitor once during the year designated by the State Water Board. The State Water Board will designate the year based on historical monitoring frequency and laboratory capacity. All community and nontransient-noncommunity systems using approved surface water shall monitor annually. All systems monitoring at distribution entry points which have combined surface and groundwater sources shall monitor annually.

(2) Quarterly samples shall be collected and analyzed for any chemical if analyses of such samples indicate a continuous or persistent trend toward higher levels of that chemical, based on an evaluation of previous data.

(d) For the purposes of sections 64432, 64432.1, 64432.2, and 64432.3, detection shall be defined by the detection limits for purposes of reporting (DLRs) in table 64432-A.

**Table 64432-A**  
**Detection Limits for Purposes of Reporting (DLRs) for Regulated Inorganic Chemicals**

<i>Chemical</i>	<i>Detection Limit for Purposes of Reporting (DLR) (mg/L)</i>
Aluminum	0.05
Antimony	0.006
Arsenic	0.002
Asbestos	0.2 MFL>10um*
Barium	0.1
Beryllium	0.001
Cadmium	0.001
Chromium	0.01
Cyanide	0.1
Fluoride	0.1
Hexavalent chromium	0.001
Mercury	0.001
Nickel	0.01
Nitrate (as nitrogen)	0.4
Nitrite (as nitrogen)	0.4
Perchlorate	0.004



Selenium	0.005
Thallium	0.001

\* MFL=million fibers per liter; DLR for fibers exceeding 10 um in length.

(e) Samples shall be collected from each water source or a supplier may collect a minimum of one sample at every entry point to the distribution system which is representative of each source after treatment. The system shall collect each sample at the same sampling site, unless a change is approved by the State Water Board.

(f) A water system may request approval from the State Water Board to composite samples from up to five sampling sites, provided that the number of sites to be composited is less than the ratio of the MCL to the DLR. Approval will be based on a review of three years of historical data, well construction and aquifer information for groundwater, and intake location, similarity of sources, and watershed characteristics for surface water. Compositing shall be done in the laboratory.

(1) Systems serving more than 3,300 persons shall composite only from sampling sites within a single system. Systems serving 3,300 persons or less may composite among different systems up to the 5-sample limit.

(2) If any inorganic chemical is detected in the composite sample at a level equal to or greater than one fifth of the MCL, a follow-up sample shall be analyzed within 14 days from each sampling site included in the composite for the contaminants which exceeded the one-fifth-MCL level. If available, duplicates of the original sample taken from each sampling site used in the composite may be used instead of resampling; the analytical results shall be reported within 14 days. The water supplier may collect up to two additional samples each from one or more of the sources to confirm the result(s).

(3) Compliance for each site shall be determined on the basis of the individual follow-up samples, or on the average of the follow-up and confirmation sample(s) if the supplier collects confirmation sample(s) for each detection.

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the State Water Board within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or

(2) Inform the State Water Board within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the State Water Board within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the State Water Board and resample as confirmation. The water supplier shall notify the State Water Board of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).

(1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.

(2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the State Water Board;

(A) Immediately discontinue use of the contaminated water source; and

(B) Not return the source to service without written approval from the State Water Board.

(i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

(j) If a system using groundwater has collected a minimum of two quarterly samples or a system using approved surface water has collected a minimum of four quarterly samples and the sample results have been below the MCL, the system may apply to the State Water Board for a reduction in monitoring frequency.

(k) Water quality data collected prior to January 1, 1990, and/or data collected in a manner inconsistent with this section shall not be used in the determination of compliance with the monitoring requirements for inorganic chemicals.

(l) Water quality data collected in compliance with the monitoring requirements of this section by a wholesaler providing water to a public water system shall be acceptable for use by that system for compliance with the monitoring requirements of this section.

(m) A water system may apply to the State Water Board for a waiver from the monitoring frequencies specified in subsection (c)(1), if the system has conducted at least three rounds of monitoring (three periods for groundwater sources or three years for approved surface water sources) and all previous analytical results are less than the MCL. The water system shall specify the basis for its request. If granted a waiver, a system shall collect a minimum of one sample per source while the waiver is in effect and the term of the waiver shall not exceed one compliance cycle (i.e., nine years).

(n) A water system may be eligible for a waiver from the monitoring frequencies for cyanide specified in subsection (c)(1) without any prior monitoring if it is able to document that it is not vulnerable to cyanide contamination pursuant to the requirements in §64445(d)(1) or (d)(2).

(o) Transient-noncommunity water systems shall monitor for the inorganic chemicals in table 64431-A as follows:

- (1) All sources shall be monitored at least once for fluoride; and
- (2) Surface water sources for parks and other facilities with an average daily population use of more than 1,000 people and/or which are determined to be subject to potential contamination based on a sanitary survey shall be monitored at the same frequency as community water systems.

**Section 64432.1. Monitoring and Compliance--Nitrate and Nitrite.**

(a) To determine compliance with the MCL for nitrate in Table 64431-A, all public water systems using groundwater and transient-noncommunity systems using approved surface water shall monitor annually, and all community and nontransient-noncommunity systems using approved surface water shall monitor quarterly.

(1) The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Water Board of any acute nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

- (A) Collect another sample, and
- (B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the State Water Board within 24 hours. If the average does not exceed the MCL, inform the State Water Board of the results within seven days from the receipt of the original analysis.

(C) If a system is unable to resample within 24 hours, it shall notify the consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and shall collect and analyze a confirmation sample within two weeks of notification of the results of the first sample.

(2) For public water systems using groundwater, the repeat monitoring frequency shall be quarterly for at least one year following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than the MCL, a system may request that the State Water Board reduce monitoring frequency to annual sampling.

(3) For public water systems using approved surface water, the repeat monitoring frequency shall be quarterly following any one sample in which the concentration is greater than or equal to 50 percent of the MCL. After four consecutive quarterly samples are less than 50 percent of the MCL, a system may request that the State Water Board reduce monitoring frequency to annual sampling. A system using approved surface water shall return to quarterly monitoring if any one sample is greater than or equal to 50 percent of the MCL.

(4) After any round of quarterly sampling is completed, each community and nontransient-noncommunity system which initiates annual monitoring shall take subsequent samples during the quarter which previously resulted in the highest analytical results.

(b) All public water systems shall monitor to determine compliance with the MCL for nitrite in Table 64431-A, by taking one sample at each sampling site during the compliance period beginning January 1, 1993.

(1) If the level of nitrite in a single sample is greater than the MCL, the water supplier shall proceed as for nitrate in accordance with paragraph (a)(1) of this section.

(2) The repeat monitoring frequency for systems with an analytical result for nitrite that is greater than or equal to 50 percent of the MCL shall be quarterly monitoring for at least one year. After four consecutive quarterly samples are less than the MCL, a system may request that the State Water Board reduce monitoring frequency to annual sampling, collecting subsequent samples during the quarter which previously resulted in the highest analytical results.

(3) The repeat monitoring frequency for systems with an analytical result for nitrite that is less than 50 percent of the MCL shall be one sample during each compliance period (every three years).

(c) All public water systems shall determine compliance with the MCL for nitrate plus nitrite in Table 64431-A. If the level exceeds the MCL, the water supplier shall proceed as for nitrate in accordance with paragraphs (a)(1) through (a)(4) of this section.

**§64463. General Public Notification Requirements.**

(e) Each water system shall give new customers public notice of any acute violation as specified in section 64463.1(a) that occurred within the previous thirty days, any continuing violation, the existence of a variance or exemption, and/or any other ongoing occurrence that the State Board has determined poses a potential risk of adverse effects on human health [based on a review of estimated exposures and toxicological data associated with the contaminant(s)] and requires a public notice. Notice to new customers shall be given as follows:

(1) Community water systems shall give a copy of the most recent public notice prior to or at the time service begins; and

(2) Noncommunity water systems shall post the most recent public notice in conspicuous locations for as long as the violation, variance, exemption, or other occurrence continues.

**Section 64463.1 (Tier 1 Public Notice) states in relevant part:**

- (a) A water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:
- (1) Violation of the total coliform MCL when:
    - (A) Fecal coliform or E. coli are present in the distribution system; or
    - (B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or E. coli in the repeat sample;...
- (b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the State Water Board that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4), (5), or (6)], the water system shall:
- (1) Give public notice pursuant to this section;
  - (2) Initiate consultation with the State Water Board within the same timeframe; and
  - (3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.
- (c) A water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:
- (1) Radio or television;
  - (2) Posting in conspicuous locations throughout the area served by the water system;
  - (3) Hand delivery to persons served by the water system; or
  - (4) Other method approved by the State Water Board, based on the method's ability to inform water system users.

**Section 64463.4 (Tier 2 Public Notice) states:**

- (a) A water system shall give public notice pursuant to this section if any of the following occurs:
- (1) Any violation of the MCL, MRDL, and treatment technique requirements, except:
    - (A) Where a Tier 1 public notice is required under section 64463.1; or
    - (B) Where the State Water Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;
  - (2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Water Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;
  - (3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Water Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or
  - (4) Failure to comply with the terms and conditions of any variance or exemption in place.
- (b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Water Board's written approval based on the violation or occurrence having been resolved and the State Water Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:
- (1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;
  - (2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Water Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and
  - (3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Water Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.
- (c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:
- (1) Unless otherwise directed by the State Water Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:
    - (A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the State Water Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

**Section 64465 (Public Notice Content and Format) states in relevant part:**

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or
2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

(3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:



- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

**Appendix 64465-D. Health Effects Language - Inorganic Contaminants.**

<b>Contaminant</b>	<b>Health Effects Language</b>
Nitrate	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.
Nitrite	Infants below the age of six months who drink water containing nitrite in excess of the MCL may become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blueness of the skin.

**Section 64469 (Reporting Requirements) states in relevant part:**

- (d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Water Board that it has done so, along with a representative copy of each type of public notice given.

**Section 64481 (Content of the Consumer Confidence Report) states in relevant part:**

- (g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

- (1) Monitoring and reporting of compliance data.

# Appendix 2

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### DRINKING WATER WARNING

Devore Water Company water has high levels of nitrate

**DO NOT GIVE THE WATER TO  
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN  
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received [DATE] showed nitrate levels of [AMOUNT] milligrams per liter. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

#### What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

## What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

The Devore Water Company is beginning repairs on the well #4 well site and will add a lift pump on Devore Road. Longer term solutions will need to be developed and will undoubtedly be expensive. On site treatment and substantial well #4 upgrades are being explored. Bottled drinking water is available at the office.

The high nitrate condition may improve as it has in the past. The timeframe is unknown. We will sample wells 2A and 3 frequently.

The repairs to well #4 site and installation of a lift pump will be completed as soon as possible. We have requested estimates for well #4 repairs and the lift pump.

For more information, please contact the DWC office 18185 Kenwood Avenue at (909) 887-3310, Val at (909) 880-9030, John (909) 322-4635 or Mark at (909) 561-5524.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

## Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Devore Water Company.

State Water System ID#: 3610117.

Date Distributed: \_\_\_\_\_.



## INFORMACIÓN IMPORTANTE SOBRE SU AGUA POTABLE

Este aviso contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### ADVERTENCIA SOBRE EL AGUA POTABLE

El agua de Devore Water Company  
tiene altos niveles de nitratos

**NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES O A  
MUJERES EMBARAZADAS. TAMPOCO USE ÉSTA AGUA  
PARA PREPARAR FORMULA INFANTIL**

Los resultados de las pruebas del agua recibidas el [DATE] mostraron niveles de nitrato de [AMOUNT] miligramos por litro. Estos niveles exceden el estándar o nivel máximo de contaminante (MCL) de 10 miligramos por litro. Los nitratos en el agua potable son una preocupación seria en bebés menores de seis meses.

#### ¿Qué debe hacer?

- **NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES.** *Los bebés menores de 6 meses que toman agua con nitrato en exceso del nivel máximo de contaminante (MCL), se pueden enfermar seriamente y rápidamente. Y si los bebés no reciben atención médica, pueden morir debido a que los altos niveles de nitratos pueden interferir con la capacidad de la sangre de los bebés para transportar oxígeno. Los síntomas incluyen falta de aire y coloración azulada de la piel. Los síntomas en los bebés se pueden desarrollar rápidamente y la salud se deteriora en cuestión de días. Si hay síntomas de intoxicación por altos niveles de nitratos, busque atención médica de inmediato.*
- **LAS MUJERES EMBARAZADAS NO DEBEN CONSUMIR AGUA CON ALTOS NIVELES DE NITRATOS.** *Los altos niveles de nitrato también pueden afectar la capacidad de la sangre de mujeres embarazadas para transportar oxígeno.*
- No use agua de la llave para preparar jugo, agua, y formula para bebés menores de 6 meses. Use agua embotellada u otra agua baja en nitratos para los bebés menores de 6 meses hasta nuevo aviso.
- **NO HIERVA EL AGUA.** Hervir, congelar, filtrar, o dejar reposar el agua, no reduce el nivel de nitratos. Hervir el agua en exceso puede causar que los nitratos se concentren más, porque los nitratos se quedan cuando el agua se evapora.

- Si tiene otros problemas de salud por el consumo de ésta agua, usted debería consultar con su doctor.

### **¿Qué sucedió? ¿Qué se está haciendo al respecto?**

El nitrato en el agua potable puede originar de fuentes naturales, industriales, o agrícolas (incluyendo sistemas sépticos, escorrentía de agua de lluvia, y fertilizantes). Los niveles de nitrato en el agua potable pueden variar a través del año. Le informaremos si el nivel de nitratos vuelve a estar debajo del límite.

Devore Water Company está comenzando las reparaciones en el pozo # 4 pozo y se añadirá una bomba de elevación en Devore Road. Soluciones a largo plazo tendrán que ser desarrolladas y sin duda será caro. En el sitio de tratamiento y el pozo # 4 actualizaciones están siendo exploradas. El agua potable embotellada está disponible en la oficina.

La alta condición de nitrato puede mejorar como lo ha hecho en el pasado. El plazo es desconocido. Tomaremos muestras de los pozos 2A y 3 frecuentemente.

Las reparaciones al pozo # 4 y la instalación de una bomba de la elevación serán terminadas tan pronto como sea posible. Hemos solicitado estimados para reparaciones del pozo # 4 y la bomba de elevación.

*Por favor comparta esta información con todas las demás personas que tomen de esta agua, especialmente aquellos que no hayan recibido éste aviso directamente (por ejemplo, las personas en apartamentos, asilos, escuelas, y negocios). Puede hacerlo poniendo este aviso en un lugar público o distribuyendo copias en persona o por correo.*

### **Requisitos de Notificación Secundaria**

Al recibir la notificación de alguien que opere un sistema de agua público, se debe dar la siguiente notificación dentro de 10 días conforme a la Sección 116450(g) del Código de Salud y Seguridad:

- ESCUELAS: Deben notificar a los empleados de la escuela, estudiantes, y a los padres (si los estudiantes son menores).
- DUEÑOS O GERENTES DE PROPIEDAD PARA ALQUILER RESIDENCIAL (incluyendo asilos e instituciones de cuidado): Deben notificar a sus inquilinos.
- DUEÑOS DE PROPIEDAD DE NEGOCIOS, GERENTES, U OPERADORES: Deben notificar a los empleados de los negocios situados en la propiedad.

Este aviso es enviado por Devore Water Company.

Núm. de Identificación del Sistema Estatal de Agua: 3610117.

Fecha de distribución: \_\_\_\_\_.

# Appendix 3



## Drinking Water Notification to Consumers

### PROOF OF NOTIFICATION

Name of Water System: \_\_\_\_\_

Please explain what caused the problem if you have determined what it was and what steps you have taken to correct it. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Consumers Notified \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, Explain: \_\_\_\_\_  
\_\_\_\_\_

Date of Notification: \_\_\_\_\_

On the date of notification set forth above, I served the above referenced document(s) on the consumers by:

\_\_\_\_\_ Sending a copy through the U.S. Mail, first class, postage prepaid, addressed to each of the resident(s) at the place where the property is situated, pursuant to the California Civil Code. Attach copy of Notice.

\_\_\_\_\_ Newspaper (if the problem has been corrected). Attach a copy of Notice.

\_\_\_\_\_ Personally hand-delivering a copy to each of the consumers. Attach a copy of Notice.

\_\_\_\_\_ Posted on a public bulletin board, that will be seen by each of the consumers (for small, non-community water systems with prior Division approval). Attach copy of Notice.

**I hereby declare the foregoing to be true and correct under penalty of perjury.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Serving Notice

**\*\*Notice:** Complete this Proof of Notification and return it along with a copy of the notification to the Division within 10 days of receipt of giving public notice.

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.



# Appendix 4

## APPENDIX 4: Quarterly Progress Report

Water System: <b>Devore Water Company</b>	Water System No.: <b>3610117</b>
Compliance Order No.: <b>05-13-17R-003</b>	Violation: <b>Nitrate MCL</b>
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Company personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, San Bernardino District Office to the following email address: [dwpdist13@waterboards.ca.gov](mailto:dwpdist13@waterboards.ca.gov) titled appropriately.

### Summary of Compliance Plan:

--

### Tasks completed in the reporting quarter:

--

### Tasks remaining to complete:

--

Anticipated compliance date:

----------

Printed Name

Signature

Title

Date

# Appendix 5

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

### DRINKING WATER WARNING

Devore Water Company water has high levels of nitrate

**DO NOT GIVE THE WATER TO  
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN  
OR USE IT TO MAKE INFANT FORMULA**

Water sample results received 07/12/17 and 07/13/17 showed nitrate levels of 11 milligrams per liter. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

#### What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.



## **What happened? What is being done?**

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

The Devore Water Company is beginning repairs on the well #4 well site and will add a lift pump on Devore Road. Longer term solutions will need to be developed and will undoubtedly be expensive. On site treatment and substantial well #4 upgrades are being explored. Bottled drinking water is available at the office.

The high nitrate condition may improve as it has in the past. The timeframe is unknown. We will sample wells 2A and 3 frequently.

The repairs to well #4 site and installation of a lift pump will be completed as soon as possible. We have requested estimates for well #4 repairs and the lift pump.

For more information, please contact the DWC office 18185 Kenwood Avenue at (909) 887-3310, Val at (909) 880-9030, John (909) 322-4635 or Mark at (909) 561-5524.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

## **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by Devore Water Company.

State Water System ID#: 3610117.

Date Distributed: July, 14, 2017.

## INFORMACIÓN IMPORTANTE SOBRE SU AGUA POTABLE

Este aviso contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

### ADVERTENCIA SOBRE EL AGUA POTABLE

El agua de Devore Water Company  
tiene altos niveles de nitratos

**NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES O A  
MUJERES EMBARAZADAS. TAMPOCO USE ÉSTA AGUA  
PARA PREPARAR FORMULA INFANTIL**

Los resultados de las pruebas del agua recibidas el 11 y 12 de Julio del 2017 mostraron niveles de nitrato de 11 miligramos por litro. Estos niveles exceden el estándar o nivel máximo de contaminante (MCL) de 10 miligramos por litro. Los nitratos en el agua potable son una preocupación seria en bebés menores de seis meses.

#### ¿Qué debe hacer?

- **NO DE ÉSTA AGUA A BEBÉS MENORES DE 6 MESES.** *Los bebés menores de 6 meses que toman agua con nitrato en exceso del nivel máximo de contaminante (MCL), se pueden enfermar seriamente y rápidamente. Y si los bebés no reciben atención médica, pueden morir debido a que los altos niveles de nitratos pueden interferir con la capacidad de la sangre de los bebés para transportar oxígeno. Los síntomas incluyen falta de aire y coloración azulada de la piel. Los síntomas en los bebés se pueden desarrollar rápidamente y la salud se deteriora en cuestión de días. Si hay síntomas de intoxicación por altos niveles de nitratos, busque atención médica de inmediato.*
- **LAS MUJERES EMBARAZADAS NO DEBEN CONSUMIR AGUA CON ALTOS NIVELES DE NITRATOS.** *Los altos niveles de nitrato también pueden afectar la capacidad de la sangre de mujeres embarazadas para transportar oxígeno.*
- No use agua de la llave para preparar jugo, agua, y formula para bebés menores de 6 meses. Use agua embotellada u otra agua baja en nitratos para los bebés menores de 6 meses hasta nuevo aviso.
- **NO HIERVA EL AGUA.** Hervir, congelar, filtrar, o dejar reposar el agua, no reduce el nivel de nitratos. Hervir el agua en exceso puede causar que los nitratos se concentren más, porque los nitratos se quedan cuando el agua se evapora.

- Si tiene otros problemas de salud por el consumo de ésta agua, usted debería consultar con su doctor.

### **¿Qué sucedió? ¿Qué se está haciendo al respecto?**

El nitrato en el agua potable puede originar de fuentes naturales, industriales, o agrícolas (incluyendo sistemas sépticos, escorrentía de agua de lluvia, y fertilizantes). Los niveles de nitrato en el agua potable pueden variar a través del año. Le informaremos si el nivel de nitratos vuelve a estar debajo del límite.

Devore Water Company está comenzando las reparaciones en el pozo # 4 pozo y se añadirá una bomba de elevación en Devore Road. Soluciones a largo plazo tendrán que ser desarrolladas y sin duda será caro. En el sitio de tratamiento y el pozo # 4 actualizaciones están siendo exploradas. El agua potable embotellada está disponible en la oficina.

La alta condición de nitrato puede mejorar como lo ha hecho en el pasado. El plazo es desconocido. Tomaremos muestras de los pozos 2A y 3 frecuentemente.

Las reparaciones al pozo # 4 y la instalación de una bomba de la elevación serán terminadas tan pronto como sea posible. Hemos solicitado estimados para reparaciones del pozo # 4 y la bomba de elevación.

*Por favor comparta esta información con todas las demás personas que tomen de esta agua, especialmente aquellos que no hayan recibido éste aviso directamente (por ejemplo, las personas en apartamentos, asilos, escuelas, y negocios). Puede hacerlo poniendo este aviso en un lugar público o distribuyendo copias en persona o por correo.*

### **Requisitos de Notificación Secundaria**

Al recibir la notificación de alguien que opere un sistema de agua público, se debe dar la siguiente notificación dentro de 10 días conforme a la Sección 116450(g) del Código de Salud y Seguridad:

- **ESCUELAS:** Deben notificar a los empleados de la escuela, estudiantes, y a los padres (si los estudiantes son menores).
- **DUEÑOS O GERENTES DE PROPIEDAD PARA ALQUILER RESIDENCIAL** (incluyendo asilos e instituciones de cuidado): Deben notificar a sus inquilinos.
- **DUEÑOS DE PROPIEDAD DE NEGOCIOS, GERENTES, U OPERADORES:** Deben notificar a los empleados de los negocios situados en la propiedad.

Este aviso es enviado por Devore Water Company.

Núm. de Identificación del Sistema Estatal de Agua: 3610117.

Fecha de distribución: 14 de Julio del 2017.

## PROOF OF NOTIFICATION

Disclosure: Be advised that the California Health and Safety Code states that any person who knowingly makes a false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by fine of not more than twenty-five thousand dollars (\$25,000) for each day of violation, or be imprisoned in county jail not to exceed one year or by both the fine and imprisonment.